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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,773	09/18/2003	Michael Rutterman	P-185	6361
7590	09/29/2004		EXAMINER	
Charles J. Prescott, P.A. Suite 115 2033 Wood Street Sarasota, FL 34237			STORMER, RUSSELL D	
			ART UNIT	PAPER NUMBER
			3617	

DATE MAILED: 09/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/665,773	RUTTERMAN, MICHAEL	
	Examiner Russell D. Stormer	Art Unit 3617	MW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_ is/are allowed.
- 6) Claim(s) 1-4 is/are rejected.
- 7) Claim(s) \_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. ____.  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/18/03</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input checked="" type="checkbox"/> Other: <u>Assignment records</u> .   |

***Claim Rejections - 35 USC § 103***

1. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goodman in view of Green.

Goodman (cited by Applicant) discloses a non-rotating wheel cover comprising an inner member 60 (figure 13) having a support bearing member and apertures which receive the lug bolts **S**. The inner member is held to the wheel by the lug nuts **L**. The cover further includes a circular cover, an elongated cylindrical locking member, a cam member connected to the end of the locking member, and a counterweight attached to the cover. The lug bolts **L** are not elongated and do not include threaded lug portions for receiving a second lug nut.

Green teaches a wheel cover which is attached to the wheel through the use of a plurality of elongated lug nuts 19, which may include a lug portion 47 to receive a second lug nut 35 which secures the cover 17 to the wheel. See figure 4.

From this teaching it would have been obvious to provide the cover assembly of Goodman with elongated first lug bolts having threaded lug portions, and second lug nuts for securing the cover thereto as this arrangement would allow a wheel cover to be attached to deep dish wheel in which the original lug nuts are too short.

***Conclusion***

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The references show other wheel covers.

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3. For Applicant's convenience, copies of the current assignments of the instant applicant and the Goodman patent are enclosed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Russell D. Stormer whose telephone number is (703) 308-3768. The examiner can normally be reached on Monday through Friday, 9 AM to 4 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joe Morano can be reached on (703) 308-0230. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

9/4/04

  
RUSSELL D. STORMER  
PRIMARY EXAMINER  


# Patent Assignment Abstract of Title

**Total Assignments:** 2

**Application #:** 10104653 **Filing Dt:** 03/22/2002      **Patent #:** 6536848 **Issue Dt:** 03/25/2003  
**PCT #:** NONE      **Publication #:** NONE      **Pub Dt:**

**Inventor:** Lisa Marie Goodman

**Title:** NON-ROTATING DISPLAY WHEEL COVER

**Assignment:** 1

<b>Reel/Frame:</b> <u>012732/0516</u>	<b>Received:</b> 04/03/2002	<b>Recorded:</b> 03/22/2002	<b>Mailed:</b> 05/24/2002	<b>Pages:</b> 2
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**Conveyance:** ASSIGNMENT OF ASSIGNEES INTEREST (SEE DOCUMENT FOR DETAILS).

**Assignor:** GOODMAN, LISA MARIE      **Exec Dt:** 03/20/2002

**Assignee:** INTERNATIONAL ADCAPS, INC.  
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**Assignment:** 2

<b>Reel/Frame:</b> <u>013381/0757</u>	<b>Received:</b> 10/18/2002	<b>Recorded:</b> 10/15/2002	<b>Mailed:</b> 01/27/2003	<b>Pages:</b> 2
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**Conveyance:** ASSIGNMENT OF ASSIGNEES INTEREST (SEE DOCUMENT FOR DETAILS).

**Assignor:** INTERNATIONAL ADCAPS, INC.      **Exec Dt:** 10/03/2002

**Assignee:** HSIAO, LESLIE C.  
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Search Results as of: 9/4/2004 1:10:31 P.M.

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Web interface last modified: Oct. 5, 2002

# Patent Assignment Abstract of Title

**Total Assignments:** 1**Application #:** 10665773**Filing Dt:** 09/18/2003**Patent #:** NONE**Issue Dt:****PCT #:** NONE**Publication #:** NONE**Pub Dt:****Inventor:** Michael Rutterman**Title:** Non-rotating display wheel cover**Assignment:** 1**Reel/Frame:** 014529/0997 **Received:** 09/30/2003**Recorded:**  
09/18/2003**Mailed:**  
04/26/2004**Pages:** 2**Conveyance:** ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).**Assignor:** RUTTERMAN, MICHAEL**Exec Dt:** 09/03/2003**Assignee:** HSIAO, LESLIE13691 CRYSTAL RIVER DRIVE  
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